



BellSouth Telecommunications, Inc.
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333 Commerce Street
Nashville, Tennessee 37201-3300

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Patrick Turner
Attorney

JUN 9 PM 1 48
June 9, 2000

VIA HAND DELIVERY

Mr. David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

Re: *BellSouth "Win Back" Tariff*
Docket No. 00-00391

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth's Data Requests to Southeastern Competitive Carriers Association. Copies of the enclosed are being provided to counsel of record for all parties.

Very truly yours,

Patrick W. Turner

PWT/jem

Enclosure

BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

IN RE: BELLSOUTH "WIN BACK" TARIFF

Tariff No. 00-00391

BELLSOUTH TELECOMMUNICATIONS, INC.'S
DATA REQUESTS TO SOUTHEAST COMPETITIVE CARRIERS ASSOCIATION

BellSouth Telecommunications, Inc. ("BellSouth") hereby requests Southeast Competitive Carriers Association ("SECCA") to provide answers and furnish documents in response to the following data requests by 2:00 p.m. on June 14, 2000.

INSTRUCTIONS

(a) If any response required by way of answer to these data requests is considered to contain confidential or protected information, please contact BellSouth immediately so the parties may prepare and submit an appropriate Protective Order for proposed entry in this docket.

(b) If any response required by way of answer to these data requests is withheld under a claim of privilege, please identify the privilege asserted and describe the basis for such assertion. If any document is withheld under a claim of privilege, furnish a list of each document for which the privilege is claimed, reflecting the name and address of the person who prepared the document, the date the document was prepared, each person who was sent a copy of the

document, each person who has viewed or has had custody of a copy of the document, and a statement of the basis on which the privilege is claimed.

(c) These data requests are to be answered with reference to all information in your possession, custody or control or reasonably available to you. These data requests are intended to include requests for information which is physically within SECCA's possession, custody or control as well as in the possession, custody or control of SECCA's agents, attorneys, or other third parties from which such documents may be obtained.

(d) If any data request cannot be responded to in full, answer to the extent possible and specify the reason for your inability to respond fully. If you object to any part of a data request, answer all parts of the data request to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

(e) These data requests are continuing in nature and require supplemental responses should information unknown to you at the time you serve your responses to these data requests subsequently become known or should your initial response be incorrect or untrue.

DEFINITIONS

(a) "SECCA" means SECCA, its parent, subsidiaries, and affiliates, their present and former officers, employees, agents, directors, and all other persons acting or purporting to act on behalf of SECCA.

(b) "You" and "your" refer to SECCA.

(c) "Person" means any natural person, corporation, corporate division, partnership, other unincorporated association, trust, government agency, or entity.

(d) "And" and "or" shall be construed both conjunctively and disjunctively, and each shall include the other whenever such construction will serve to bring within the scope of these data requests information that would not otherwise be brought within their scope.

(e) "Identification" or "identify" when used in reference to: (i) a natural individual, requires you to state his or her full name and residential and business address; (ii) a corporation, requires you to state its full corporate name and any names under which it does business, the state of incorporation, and the address of its principal place of business; (iii) a document, requires you to state the number of pages and the nature of the document (e.g., a letter or memorandum), its title, its date, the name or names of its authors and recipients, and its present location or custodian; (iv) a communication, requires you, if any part of the communication was written, to identify the document or documents which refer to or evidence the communication, and to the extent that the communication was not written, to identify the persons participating in the communication and to state the date, manner, place, and substance of the communication.

(f) "Special Contract" refers to any written contract, special pricing package, discount, or other means by which SECCA provides telecommunications services in Tennessee (whether local, intraLATA toll, or interLATA service) to any

person or entity at rates, terms, or conditions that differ from SECCA's Tennessee tariffs on file with the TRA.

(g) "Telecommunications carrier" and "Telecommunications Services" refer to those terms as defined in Section 3(44) and Section 3(46) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, as codified in 47 U.S.C. § 3(44) and 47 U.S.C. § 3(46), respectively.

(h) "BellSouth's tariff" refers to BellSouth's Welcome Back! Winback tariff that is the subject of this docket.

DATA REQUESTS

1. Do you contend that BellSouth's tariff is anticompetitive? If so, please: identify each and every term, condition, or provision of the tariff which you contend is anticompetitive; state all facts which support your contention that such terms, conditions, or provisions are anticompetitive; and identify all documents which support your contention that such terms, conditions, or provisions are anticompetitive.

RESPONSE:

2. Do you contend that BellSouth's tariff is unduly discriminatory? If so, please: identify each and every term, condition, or provision of the tariff which you contend is unduly discriminatory; state all facts which support your contention that such terms, conditions, or provisions are unduly discriminatory; and identify all

documents which support your contention that such terms, conditions, or provisions are unduly discriminatory.

RESPONSE:

3. Aside from the information you provided in response to Requests Nos. 5 and 6, do you contend that BellSouth's tariff violates any other provisions of law? If so, please:

(a) specifically identify each and every statute, rule, regulation, order, or case that you contend BellSouth's tariff violates;

(b) for each statute or case identified in response to (a) above, identify each and every term, condition, or provision of the tariff which you contend violates such statute, rule, regulation, order, or case;

(c) state all facts which support your contentions set forth in response to (a) and (b) above; and

(d) identify all documents which support your contentions set forth in response to (a), (b), and (c) above.

RESPONSE:

4. Please produce any documents or other information in your possession regarding any offering by which any of your member organizations has offered (or is currently offering) any telecommunications services, rates, terms, conditions, discounts, rebates, checks, or other items to persons and/or entities who, as of the

time of the offer, were not customers of that member without making the same offer available under the same terms and conditions to persons and/or entities who were customers of that member at the time of the offering?

RESPONSE:

5. Please produce any documents or other information in your possession regarding attempts by any of your members to market their telecommunications offerings in Tennessee to customers of: (a) BellSouth; (b) other ILECs; (c) CLECs; and (d) other competitors.

RESPONSE:

6. Please produce any documents in your possession which discuss, address, or relate to the use of special contracts, individual case basis contracts, and/or special promotions by your members or by CLECs generally.

RESPONSE:

7. Please produce any documents in your possession which discuss, address, or relate to the efforts of your members or of CLECs generally to compete specifically with BellSouth in the telecommunications market.

RESPONSE:

8. Please produce any documents in your possession which discuss, address, or relate to the efforts of your members or of CLECs generally to compete with ILECs in the telecommunications market.

RESPONSE:

9. Please produce any documents in your possession which discuss, address, or relate to the number of access lines in Tennessee that are served by your members generally, CLECs generally, any particular member(s), or any particular CLEC(s).

RESPONSE:

10. Please produce any documents in your possession which discuss, address, or relate to the share of the Tennessee telecommunications market (or any segment thereof) held by your members generally, CLECs generally, any particular member(s), or any particular CLEC(s).

RESPONSE:

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By: 

Guy M. Hicks

Patrick W. Turner

333 Commerce Street, Suite 2101

Nashville, Tennessee 37201-3300

(615) 214-6301

CERTIFICATE OF SERVICE

I hereby certify that on June 9, 2000, a copy of the foregoing document was served on the parties of record, via the method indicated:

☒ Hand
☐ Mail
☐ Facsimile
☐ Overnight

Julie Woodruff, Esquire
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243-0500

☐ Hand
☒ Mail
☒ Facsimile
☐ Overnight

Henry Walker, Esquire
Boult, Cummings, Conners & Berry
414 Union Avenue, #1600
Post Office Box 198062
Nashville, Tennessee 37219-8062

☐ Hand
☒ Mail
☒ Facsimile
☐ Overnight

Charles B. Welch, Esquire
Farris, Mathews, et al.
205 Capitol Blvd, #303
Nashville, Tennessee 37219


